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In re application of  
Allan Lepine  
Serial No. 09/163,778  
Filed: September 30, 1998  
For: CANINE MILK SUBSTITUTE

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DECISION ON  
PETITION

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a), filed November 5, 2003. The petition asks that the abandonment, as set forth in the Notice of Abandonment of October 28, 2003, be withdrawn since the applicant did timely file a response on August 22, 2003.

**DECISION**

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the USPTO application file reveals that applicant's response, AMENDMENT UNDER 37 CFR §1.196(b) and INFORMATION DISCLOSURE STATEMENT, were properly filed on August 22, 2003 in view of the fact that the originally filed papers having a Patent and Trademark Office date stamp of August 22, 2003 thereon have been located in the USPTO application file. Accordingly, any holding of abandonment is hereby vacated, and the application has been returned to pending status.

The application shall be forwarded to the examiner for processing and consideration of the papers filed August 22, 2003.

The Petition is **GRANTED**.

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